

NATHAN WHITMAN.

[To accompany Bill H. R. No. 652.]

APRIL 13, 1860.

Mr. FENTON, from the Committee on Invalid Pensions, made the following

REPORT.

The Committee on Invalid Pensions, to whom was referred the petition of Nathan Whitman, report:

That they have examined the evidence in the case, from which it appears that the petitioner enlisted in Captain Jenny's company of volunteers from Vermont, in September, 1814, to go to the defence of Plattsburg, in New York; that he was in the battle of Plattsburg on the 11th of September, 1814, and was an orderly sergeant in his company. That after the battle General Macomb desired Captain Jenny to remain, with as many of his men as he could prevail on to stay, to aid in the search for arms, ammunition and provision, secreted by the enemy. That the petitioner remained and crossed the Saranac, where they found a large quantity of stores secreted in trenches or ditches. That while engaged in raising a heavy box out of one of these trenches, the petitioner was in the trench and was lifting one end of the box, those at the other end lost their hold, and the box was dropped, he being unable to hold up his end, falling upon and crushing his ankle, and fastening him until it was removed. He was then about twenty-one years old; he is now over sixty-five. The injury has been permanent, and increasing in severity as age increased, till he is now entirely deprived of the use of his limb. He has suffered great pain and inconvenience from it for over forty years.

All these facts are sworn to by Captain Jenny, who has known petitioner ever since the accident, and was present and saw the accident when it happened; also by Otis Capren, who was a private in same company, was knowing to the facts, and has known him ever since. His inability is fully proven by Drs. O. G. Dyer and William Gile, respectable physicians in Leicester, Addison county, Vermont, who testify that he has received an injury at sometime dislocating and fracturing the ankle, which not being properly reduced, would, of necessity, increase in pain and difficulty as age increased. Captain Jenny also swears that the petitioner was an orderly sergeant in his company.

The petitioner testifies that the reason he did not apply for a pension sooner was, that he did not know that volunteers were entitled to pensions under government. His application was rejected at the Pension office, on the ground that no record of such a company as Captain Jenny's can be found on the rolls. They did, however, so far recognize his claim as to grant him bounty land warrant No. 44400.

Your committee unanimously concur in reporting a bill granting him a pension at twenty-one dollars per month, the pay of orderly sergeant, from February 9, 1859, his petition to Congress having been filed February 9, 1858.